

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMILY PENZO,

Plaintiff,

-against-

CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/18/2023

1:19-cv-07478-MKV

SPECIAL VERDICT FORM

Question 1

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant discriminated against her based on disability in violation of the Americans with Disabilities Act and the New York State Human Rights Law?

Yes _____ No ✓

Question 2

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant discriminated against her based on disability in violation of the New York City Human Rights Law?

Yes _____ No ✓

Question 3

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant retaliated against her in violation of the Americans with Disabilities Act and the New York State Human Rights Law?

Yes _____ No ✓

Question 4

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant retaliated against her in violation of the New York City Human Rights Law?

Yes ✓ No _____

Question 5

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant retaliated against her in violation of the Family and Medical Leave Act?

Yes _____ No ✓

Question 6

Has Plaintiff proven, by a preponderance of the evidence, her claim that Defendant interfered with her use of medical leave benefits in violation of the Family and Medical Leave Act?

Yes _____ No ✓

If you answered "yes" to any of the above questions 1-6, continue to questions 7-11. If you answered "no" to all of questions 1-6, please do not answer any further questions, and continue to the last page and sign and date the verdict form.

Question 7

Has Plaintiff proven, by a preponderance of the evidence, that she is entitled to compensatory damages in the form of back pay under the New York State Human Rights Law, the New York City Human Rights Law, or the Family and Medical Leave Act?

Yes ✓ No _____

If "yes," and after deducting \$79,848.65 to account for the amount that Plaintiff received in long-term disability benefit payments, in what amount?

\$203,951.35

Question 8

Has Plaintiff proven, by a preponderance of the evidence, that she is entitled to compensatory damages in the form of front pay under the New York State Human Rights Law, the New York City Human Rights Law, or the Family and Medical Leave Act?

Yes _____ No ✓

If "yes," in what amount and for what period of time?

Amount: _____ Dates: _____ to _____

Question 9

Answer the following question only if you answered "yes" to questions 1, 2, 3, or 4. If not, continue to question 10.

Has Plaintiff proven, by a preponderance of the evidence, that she is entitled to compensatory damages in the form of damages for emotional distress under the Americans with Disabilities Act, the New York State Human Rights Law, or the New York City Human Rights Law?

Yes _____ No ✓

If "yes," in what amount?

Question 10

Answer the following question only if you answered "no" to all of questions 7, 8, and 9. If not, continue to question 11.

Has Plaintiff proven, by a preponderance of the evidence, that she is entitled to nominal damages in the amount of \$1?

Yes _____ No ✓

Question 11

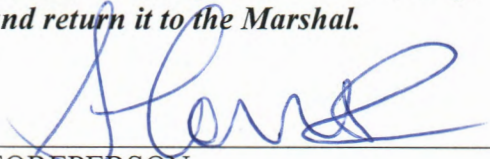
Answer the following question only if you answered "yes" to questions 1, 2, 3, or 4. If not, continue to the last page and sign and date the verdict form.

Has Plaintiff proven, by a preponderance of the evidence, that she is entitled to punitive damages under the Americans with Disabilities Act or the New York City Human Rights Law?

Yes _____ No ✓

If "yes," in what amount?

Your deliberations are finished. The foreperson should ensure that each juror agrees with the answer to each question. Then, the foreperson should sign and date the verdict form below and return it to the Marshal.



FOREPERSON

Dated: New York, New York
December 15, 2023